

**Court No. - 87**

**Case :-** APPLICATION U/S 482 No. - 36904 of 2023

**Applicant :-** Chandrajeet Yadav

**Opposite Party :-** State of U.P. and Another

**Counsel for Applicant :-** Anil Kumar Yadav, Shivam Yadav

**Counsel for Opposite Party :-** G.A.

**Hon'ble Neeraj Tiwari, J.**

1. Heard Sri Shivam Yadav, learned counsel for applicant and learned A.G.A. for State.

2. This application under Section 482 Cr.P.C. has been filed seeking quashing the summoning order dated 01.05.2023 as well as entire criminal proceedings of Case No. 38470 of 2023 (Chandrajeet Yadav Vs. State), arising out of Case Crime No. 69 of 2023, under section 306 I.P.C., P.S. Gulriha, District- Gorakhpur pending before A.C.J.M.-II, Gorakhpur.

3. After some argument, learned counsel for the applicant submitted that he does not want to press this application for the relief prayed and further requested that applicant may be given liberty to move discharge application under the provisions of Cr.P.C. before the trial Court and trial Court may be directed to decide the discharge application expeditiously within a period as fixed by this Court.

4. Learned A.G.A. has not objected the submission made by learned counsel for the applicant.

5. Considering the request of the applicant and in view of the entirety of facts and circumstances of the case, it is provided that if the applicant appears and moves an appropriate application for discharge under the provisions of Cr.P.C. before the trial Court within two weeks from the date of receipt of a certified copy of this order then the application of the applicant shall be considered and decided expeditiously preferably within a period of three months from the date of filing of discharge application in accordance with law after providing opportunity of hearing to other side.

6. Accordingly, the present application is **disposed of**.

**Order Date :-** 31.10.2023

Arvind